

REMARKS

In response to the Office Action dated December 8, 2006, Applicants respectfully request reconsideration.

Claims 12-28 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-15 of copending Application No. 09/980,661 to Schrepfer in view of U.S. Pat. No. 4,445,885 (Kifune). Applicants are submitting herewith a terminal disclaimer, thus mooted the double patenting rejection.

Based on the foregoing, this application is believed to be in allowable condition, and a notice to that effect is respectfully requested. If a telephone conversation with Applicant's representative would help expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at (617) 542-6000.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account 50-0311, Reference No. 24334-003. The Director is further authorized to charge any required fee(s) under 37 C.F.R. §§ 1.19, 1.20, and 1.21 to the abovementioned Deposit Account.

Respectfully submitted,

/Kyle Turley/

Kyle Turley, Reg. No. 57,197
Attorneys for Applicants
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY AND POPEO, PC
One Financial Center
Boston, MA 02111
Tel.: (617) 542-6000
Fax: (617) 542-2241
Customer No. 30623

Date: January 18, 2007

TRA 2245198v.1